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C O N F I D E N T I A L SECTION 01 OF 02 ANKARA 007800

SIPDIS

EUCOM FOR J3, J4 AND J5

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TAGS: [PREL](#) [MARR](#) [MOPS](#) [TU](#) [IZ](#)

SUBJECT: TURKS OUTLINE RULES AND PRINCIPLES FOR USE OF  
INCIRLIK FOR TROOP ROTATION IN AND OUT OF IRAQ

REF: ANKARA 7735

(U) Classified by DCM Robert Deutsch. Reasons: 1.5 (B and D).

1. (C) DG for Bilateral Political Affairs Ahmet Banguoglu summoned DCM to the MFA December 19 to provide the GOT's written authorization for the US to use Incirlik to rotate US personnel in and out of Iraq (reftel). Banguoglu said the MFA and other interested agencies (including TGS and Customs) had met earlier in the day to work out arrangements for the use of Incirlik. He said the goal of the parties was to provide the US "maximum flexibility within the Turkish legal framework, and in conformity with international law, and the rules and regulations of Incirlik Air Base." Banguoglu said the modalities and any further details not addressed in the diplomatic note should be discussed in mil-mil channels with the Turkish General Staff.

2. (C) Reading from a prepared text, Banguoglu then summarized the 11 rules and principles to be applied during rotation activities (see para 5 for complete text). Banguoglu said the issue of the status of US personnel in Turkey (points 3 and 4) was a particularly difficult and sensitive one to resolve.

3. (C) While acknowledging that one Turkish newspaper had reported the GOT's approval in today's paper, Banguoglu said the GOT intended to keep the issue quiet for the time being. The MFA did not intend to issue any public statement and asked the US to do the same. The DCM said that for security purposes, we would prefer not to make the issue public, but admitted that the press would get wind of it as soon as aircraft and personnel began arriving at Incirlik, if not sooner. Banguoglu said the MFA has provided its information office some background information to use with the press on an "if asked" basis. Banguoglu said the MFA would provide us with its guidance once it was cleared, and added that the Turks would prefer that any "announcement" of the arrangement come from the GOT. Furthermore, Banguoglu said the GOT hoped we would not share the modalities of the operation with other Allies, since they would not want to offer them similar flexibility.

4. (C) Begin text of diplomatic note:

The Ministry of Foreign Affairs of the Republic Turkey presents its compliments to the Embassy of the United States of America and with reference to the Latter,s note number 1869, dated December 17, 2003, has the honor to inform the following:

Taking into account UNSC resolution 1483 and the Turkish Council of Ministers, decree No. 5755, the request for permission to use 10th Tanker Base-Incirlik as a hub for deploying/redeploying (rotation) personnel from Iraq in support of Operation Iraqi Freedom has been approved.

The rules and principles to be applied during the rotation activities are enclosed. The Ministry kindly requests the Embassy to bring the enclosed documents to the attention of the pertinent US authorities with a view toward assuring their strict compliance.

The modalities of the facilities accorded in line with the rotation request should be discussed and concluded with the Turkish General Staff.

A note from the Embassy acknowledging the contents of this note and enclosure would be appreciated.

The Ministry of the Republic of Turkey avails itself of this opportunity to renew to the Embassy of the United States of America the assurances its highest consideration.

December 19, 2003

End text of diplomatic note.

15. (C) Begin text of the rules and principles to be applied during the rotation activities that was enclosed with the diplomatic note:

#### RULES AND PRINCIPLES TO BE APPLIED DURING ROTATION ACTIVITIES

(1) The activities to be carried out during the rotation shall be in conformity with international law and courtesy rules as well as 10th Tanker Base-Incirklik regulations.

(2) The operations to be carried out for the purpose of the rotation and their results shall not create any financial burden for the Republic of Turkey. Any compensation arising from acts committed by US personnel involved in the rotation shall be fully borne by the US side.

(3) The number and the missions of the personnel expected to be prepositioned in order to support the existing US personnel at 10th Tanker Base Incirklik for preparing for and carrying out the rotation activities as planned and the personnel that will arrive or leave in exchange shall be communicated to the Turkish General Staff (TGS). These prepositioned personnel, the number of which shall not exceed 250 at any one time, will be subject to the same status applicable to the US personnel currently deployed at 10th Tanker Base, unless otherwise specified.

(4) Considering that arriving and departing passengers and equipment for the purpose of rotation are in transit, transit status will be accorded to the passengers and equipment that will pass through allocated facilities by coordination between the 39th Air Base Group and the 10th Tanker Base Command. The necessary documentation for the passengers and cargo shall be provided by the US side. (Note: during his summary of the 11 points, Banguoglu specifically used the word "manifest" when referring to the necessary documentation. End note.)

(5) Detailed planning regarding the activities of the rotation that will be carried out in Incirklik Air Base shall be coordinated between the 39th Air Base Group and the 10th Tanker Base Command.

(6) In cases of compulsory accommodation within the Base of the personnel subjected to rotation due to aircraft breakdown or for any emergency situations that may arise, necessary arrangements will be made by the 39th Air Base Group in coordination with the 10th Tanker Base Command.

(7) Search and Rescue (SAR) missions within the SAR boundaries of Turkey shall be performed by Turkish authorities.

(8) Flight clearance requests for all flights conducted for the purpose of the rotation shall be forwarded to the TGS via the Turkish MFA, in line with the current procedures.

(9) The arrangements herewith shall not be interpreted or construed as infringing upon the sovereign rights of Turkey, nor shall these provisions be applied and interpreted in disregard of Turkish legislation, laws and regulations.

(10) The rotations activities shall start no earlier than January 1, 2004 and end no later than April 30, 2004.

(11) None of the provisions shall effect or restrict the inherent right of the Government of Turkey to take all measures it deems necessary and appropriate to protect its national interests and security under circumstances

warranting this course of action.

End text.  
EDELMAN